REMARKS

Reconsideration of this application is respectfully requested in view of the foregoing amendment and the following remarks.

Examiner Dean is thanked for the courtesies extended to Applicants' representative during the telephonic interview conducted September 12, 2006. The substance of that interview is incorporated into the following remarks.

Claims 1-19 and 73-75 remain pending herein. Independent claims 1, 6, 11 and 18 have been amended hereby. Support for the amendment to these claims can be found, for example, in paragraphs [0076]-[0078] and [0082] of the present application. For the reasons outlined below, it is believed that all claims in this applications are in condition for allowance.

In the Final Office Action mailed June 16, 2006, claims 1-3, 5, 18-19 and 73-75 were rejected under 35 U.S.C. §103(a) as being unpatentable over Noreen et al. (5,303,393) ("Noreen1") in view of Palmer et al (5,905,865)("Palmer"); Claim 4 was rejected under 35 U.S.C. §103(a) as being unpatentable over Noreen1, in view of Palmer and further in view of Noreen et al. (US 2002/0183059)("Noreen2"); Claims 6-10 were rejected under 35 U.S.C. §103(a) as being unpatentable over Noreen1 in view of Shah-Nazaroff et al. (US 2002/0053077) ("Shah"); and Claims 11-17 were rejected under 35 U.S.C. §103(a) as being unpatentable over Noreen1 in view of Noreen2 and further in view of Palmer.

To the extent these grounds of rejection might still be applied to the claims now pending in this application, they are respectfully traversed.

As discussed during the telephonic interview, Applicants acknowledge that Noreen1 appears to disclose, as recited for example in claim 1, returning broadcasted identification information for, e.g., ordering a particular item that has been advertised. Noreen1, however, does not disclose, as acknowledged in the Office Action, anything regarding charging a sponsor a fee based on the quantity of indications that are received.

For this feature of the claimed invention, the Office Action relied on Palmer.

Palmer discloses a system in which a paging system transmits a URL at substantially the same time as a radio or TV broadcast. The URL is detected by a pager and associated computer program, and a browser is *automatically* directed to the received URL. (Emphasis added.) (See col. 5, lines 32-34.) Col. 7, lines 19-27 of Palmer further discloses that home pages may audit the number of "hits" received, and that advertising fees may be based on the number of hits.

Previously, Applicants argued that even if the recipient of the URL is not interested in the web page or not, the computer's browser is nevertheless automatically directed to the web page (e.g., home page of the advertiser). As a result, the number of "hits" does not, at all, correspond to the number of ***actual*** interested persons. Claim 1, on the other hand, requires that the received indications "indicate interest in the product."

In response, the Examiner has now cited to col. 7, lines 27-44 of Palmer as disclosing that the "user has the option of choosing which websites to access and whether or not said user wants to access said websites." (Office Action at p. 2.) The cited passage of Palmer describes how a user might complete a profile such that only certain kinds of URLs (e.g., for coupons, contests,

etc.) will be presented to the user. In other words, the user "pre-selects" what types of advertisements he wants to see, and then the computer will automatically access those websites.

To be clear, the only disclosure of Palmer regarding advertising fees has to do with basing the advertising fees on the number of hits at a website. (See Palmer at col. 7, lines 19-26.) There is no other disclosure of fees in Palmer. Indeed, Palmer discloses other types of identifiers, but makes no mention that fees may be based thereon (see, e.g., col. 7, lines 46-53). Thus, a combination of Noreen1 and Palmer would necessarily result in a system in which URLs are passed to computers, websites are thereafter accessed, and the number of hits is then accounted for to calculate advertising fees. But, as explained previously, the website to which the URL points does not receive the URL itself (which is what is initially broadcasted). Thus the identifier (i.e., URL) that is broadcast, is not the same identifier that is received by the website.

In accordance with amended claim 1 (and similarly for the other amended claims), the identifier that was received via the broadcast is the same identifier that is returned and then used to calculate the advertising fee. In Palmer, since the URL is never returned to the website, the URL cannot possibly be used to calculate advertising fees. The amended claims, however, all now require that the identifier that is broadcast be the same identifier that is employed to calculate the fee charged to the sponsor of the advertisement.

Applicants respectfully submit that none of the other prior art of record discloses or suggests the sponsor charging methodology recited in the claims now pending herein. Accordingly, Applicants respectfully request that the §103 rejections of all of the claims be reconsidered and withdrawn.

In view of the foregoing all of the claims in this case are believed to be in condition for allowance. Should the Examiner have any questions or determine that any further action is desirable to place this application in even better condition for issue, the Examiner is encouraged to telephone applicants' undersigned representative at the number listed below.

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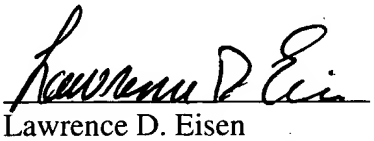
Respectfully submitted,

Date: September 14, 2006

By: 

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LDE/dkp

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